

1
2
3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 JOSH DONLEY,

7 Plaintiff,

8 v.

9 RON FRAKER and SGT. T.
SCHNEIDER,

10 Defendants.

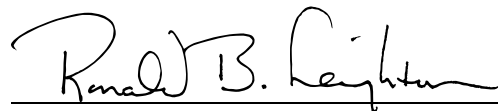
No. C11-5995 RBL/KLS

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

11 The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen
12 L. Strombom, objections to the Report and Recommendation, if any, and the remaining record,
13 does hereby find and **ORDER:**

- 14
- 15 1) The Court adopts the Report and Recommendation.
 - 16 2) Defendants' Motion to Dismiss (ECF No. 14) is **GRANTED**; Plaintiff's
17 claims are **Dismissed without Prejudice** for failure to exhaust and this
dismissal shall be counted **as a strike under 28 U.S.C. § 1915(g)**.
 - 18 3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for
19 Defendant and to the Hon. Karen L. Strombom.

20 **DATED** this 25th day of June, 2012.

21
22 

23
24 Ronald B. Leighton
25 United States District Judge
26